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N.J. BOARD OF DENTISTRY
ON 7-11-07 DA

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

LICENSED TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

The Board has now reviewed the entire record, including the testimony of respondent at the investigative inquiry, insurance company statements, and patient charts

as maintained by respondent. Based on that review it appears to the Board that respondent failed to conform to standard dental record keeping practices in the State of New Jersey. Further, review of the proofs of continuing education revealed that respondent had not satisfactorily completed the continuing dental education credits required by N.J.A.C. 13:30-5.1(a) for the biennial periods of 1999-2001 and 2001-2003. Specifically, for the 1999-2001 period, respondent completed fourteen of 40 hours of continuing education credits and for the 2001-2003 biennial period, respondent completed 18 of 40 hours. For the latter period, respondent certified that he had completed 40 hours of continuing education.

The Board has concluded that there is a sufficient basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h), in that respondent has failed to maintain proper patient records (N.J.A.C. 13:30-8.7), has failed to comply fully with the provisions of N.J.A.C. 13:30-8.10., and has engaged in misrepresentation in violation of N.J.S.A. 45:1-21(b), by certifying on his renewal application that he had completed 40 hours of continuing education for the 2001-2003 biennial renewal period when he had not.

Respondent acknowledged that his record keeping required improvement and he testified that he has taken steps to correct his deficiencies. Respondent and the Board now desire to resolve this matter by way of consent order without any admission of guilt or liability and without recourse to formal proceedings. The Board is satisfied that this order is adequately protective of the public health, safety, and welfare.

IT IS ON THIS 11th DAY OF July, 2007,
HEREBY ORDERED AND AGREED THAT:

1. Respondent is assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$4,500.00 for: failing to maintain records consistent with N.J.A.C. 13:30-8.7 (\$2,500.00); submitting statements to an insurance company that contained inaccurate information(\$1,000.00); for failing to complete continuing education as required for biennial renewal; and for misrepresenting completion of continuing education on his biennial renewal form (\$1,000.00). Payment for the civil penalties of \$4,500.00 shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Kevin B. Earle, Executive Director, State Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101. In payment of the \$4500 in civil penalties, respondent shall make three monthly payments of \$1500 per payment. The first payment shall be due by July 1, 2007, and subsequent payments shall be due on August 1, 2007 and September 1, 2007. In the event that respondent does not make a timely payment, the full balance will immediately become due. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

2. Respondent shall successfully complete seven (7) hours of continuing education in record keeping. The course shall be completed within four (4) months of the entry of this Consent Order. Further, the course, which is in addition to the regularly required continuing education hours, shall be approved by the Board in writing prior to attendance. Respondent shall complete the attached continuing education Report and Proof of Attendance as proof of successful completion of the required course work. The attached form is made part of this Consent Order, and a separate form is to be used for each course.

3. In addition to the continuing education required in Paragraph 2 above, respondent shall attend and successfully complete and unconditionally pass the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903. Documentation of the successful completion and unconditional passing of the course shall be provided to the Board.

4. Respondent at his expense shall engage the services of an independent auditing company, approved by the Board, which company shall conduct a review and audit of his current procedures, a review and audit of procedures followed during the period January 1, 2004 to the present, and a review and audit of thirty (30) patient charts of patients who were treated between January 1, 2004 and the present. Charts are to be selected at random by the auditing company. The review and audit shall assess whether respondent performed the services reflected in patient charts and on insurance or other third party payor submissions and whether respondent's records accurately reflect work performed, both as to treatment rendered and date of service. Respondent shall cause the auditing company to provide a copy of the report generated by the review and audit to the Board within thirty (30) days of completion of the audit and review. The Board reserves the right to initiate any action it deems appropriate should the result of the review and audit reveal violations of law or regulations.

5. Respondent is assessed the costs of the investigation to the State in this matter in the amount of \$241.33. Payment for the costs shall be submitted by certified

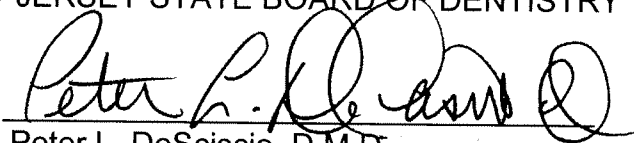
check or money order made payable to the State of New Jersey and submitted to the Board no later than thirty (30) days from the entry of this Consent Order. Payment shall be sent to Kevin B. Earle, Executive Director at the address described in paragraph # 1.

6. Failure to remit any payment as required by this Order will result in the filing of a certificate of debt.

7. Failure to comply with any of the terms of this consent order may result in further disciplinary action.


NEW JERSEY STATE BOARD OF DENTISTRY

By:



Peter L. DeSciscio, D.M.D.
President

I have read and understand this
Consent Order and agree
to be bound by its terms. I consent
to the entry of this Order.


David J. Snyder, D.D.S.

7/2/07

Date

I consent to the entry of this order as
to form.


Leonard F. Rappa, Esq.

7-2-07

Date